

REMARKS/ARGUMENTS

Claims 18, 20, 21, 24-34, 36 and 37 and new Claim 39 are active in the case.

Reconsideration is respectfully requested.

The present invention relates to a method of producing light polarizing films.

Claim Amendments

Claims 18, 36 and 37 have been amended by limiting the ratio of A/B to a maximum of 1.5 and by limiting the ratio of A/C to a minimum of 6.7. Support for these limitations can be found at page 19, the last three lines for the (A/B) ratio and page 21, the first three lines for the (A/C) ratio. Accordingly, the amendments to each of these claims are supported by the specification and therefore do not introduce new matter into the case.

A very minor amendment has also been made to each of Claims 18, 36 and 37 to indicate the disclosed basis of meters for determining the width of the stretched film. Furthermore, basis for new Claim 39 can be found in Example 1 on page 19, last line of the text. No new matter is introduced into the record by way of newly presented Claim 39. Entry of the amended claims and new claim into the record is respectfully requested.

Prior Art Rejection

Claims 18-21, 24-34, 36 and 37 stand rejected based on 35 USC 103(a) as obvious over Racich et al, U. S. Patent 4,591,512 in view of Sanefuji et al, U. S. Patent Publication 2002/0001700. This ground of rejection is respectfully traversed.

As stated on the record previously, Racich et al describes a PVA film formation process in which a PVA film is uniaxially stretched under dry conditions to about 3.6 times its normal dimension or by 35 % to 50 %. The film that is stretched has to be cut from a film in the longitudinal direction from a stretched film of about a meter in width to give a film for

further processing which is 254 mm in width. As described later in column 3, lines 53 to column 4, line 27, after the sheet is stained, the stained sheet is passed through a borating solution. The sheet enters the solution at a speed of about 0.3 meter/min and leaves the bath at a speed of 0.42 meter/min, thereby establishing an immersion time of about 3.4 min. However, the calculation of an (A/B) ratio of 2.9 min by the Examiner on page 2 of the Office Action is relatively significantly greater (almost double) than the maximum of the present (A/B) ratio of 1.5 min as claimed in each of Claims 18, 36 and 37.

The Examiner on page 3 of the Action calculates an (A/C) ratio of 6.42 based on the data provided in columns 3 and 4 of the reference. However, in view of the amendment that has been made to the value range of the (A/C) ratio in the present claims of a minimum of 6.7, it is clear from actual data provided by the patent that any calculated (A/C) ratio is outside the claimed range of the present invention.

In considering the remarks above and the disclosure of Racich et al., it is evident that the (A/B) and (A/C) ratios which are important factors in defining the polarizing film of the present invention are not shown or suggested in the disclosure of the reference. When one of skill in the art considers the patent, there is nothing which indicates that a relationship between the stretching distance (A) of a PVA film to film speed is of any special significance. The same thing is true with respect to a relationship between the stretching distance of the film and the width of the stretched film produced. There is nothing in the patent which suggests a special relationship between the two film factors which must be maintained in order to achieve certain advantages. On the other hand, these two factors are important distinguishing factors of the present invention. Accordingly, where does the motivation exist that would lead the skilled artisan to the ratio factors of the present claims? In fact, the fact that the Examiner calculates the ratios that he presents in the Office Action is

a sure indication that the teachings of the present specification are used in hindsight guidance in an attempt to arrive at the present invention which is manifestly improper!

As to the Sanefuji et al patent, the same in paragraph [0030] describes a PVA film that has a width of at least 2 m, and that this film is subjected to dyeing, monoaxial stretching, a fixing treatment and a drying treatment. The film can be subjected to a wet stretching process and can be treated in hot water. The film is stretched to a stretching ratio of at least 5 times. As disclosed in paragraph [0031], boric acid is normally added to the stretching bath. However, there is no teaching or suggestion in the reference of parameters A, B, C and A/B of the present claims. In other words, there is nothing in the disclosure of Sanefuji et al that would suggest a stretching distance (A) of at least 5 (m). Further, as mentioned above, there is nothing in the reference which suggests any type of special relationship between stretched film speed (B) (m/min) and stretching distance (A) employed to form a polarizing film having certain property advantages. The same thing is true about a relationship between stretching distance (A) of at least 5 (m) and a stretched film width (m) (C). There is nothing in the reference which teaches or suggests such a special relationship between these two factors and any property advantages that may accrue.

The Examiner appears to refer to a “scaling up” of the essential factors of the present claims in his statement at page 3, lines 15 - 17 of the Office Action as he refers to such in increasing the stretching distance to effectively stretch a larger film. However, if such a scaling-up were to be done, it must be done so as to preserve the proportions of the various factors with respect to (A), (B) and (C). When this is done there is can be no change in the values of the (A/B) and (A/C) ratios. In the event of a proportionate “scaling-up” operation, the (A/B) and (A/C) ratio values calculated from the Sanefuji et al patent would still be outside the values of the ranges of expressions (2) and (3) of the present claims. Thus, the present invention is not obvious in view of the cited prior art and withdrawal of the rejection is respectfully requested.

Appln. No. 10/691,573
Reply to the Office Action of July 21, 2008

It is believed that the application is in condition for allowance. Early notice to this effect is earnestly solicited.

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Respectfully submitted,

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A handwritten signature in cursive script, reading "FD Vastine", written over a horizontal line.

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